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REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 10 OF SECURITY COUNCIL RESOLUTION 1244 (1999)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 10 of Security Council resolution 1244 (1999), in which the Council authorized the Secretary-General, with the assistance of the relevant international organizations, to establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy. In paragraph 11 of the resolution, the Council enumerated the main responsibilities of the interim administration. This report presents a preliminary operational concept for the overall organization of the civil presence, which will be known as the United Nations Interim Administration Mission in Kosovo (UNMIK). A more detailed concept will be submitted to the Security Council in connection with the request, in paragraph 20 of resolution 1244 (1999), that the Secretary-General report on implementation of the resolution within 30 days. That document will be based on a report by the advance Headquarters team to be deployed shortly in Kosovo.

II. OVERALL STRUCTURE OF THE MISSION

2. It is apparent that in order to fulfil the provisions of Security Council resolution 1244 (1999) effectively, the structure of the Mission must ensure that all activities of the international community in Kosovo are carried out in an integrated manner with a clear chain of command. The Mission will rely on the capabilities and expertise of the various international organizations that will participate, while maintaining coherence and effectiveness.

3. Accordingly, UNMIK will be headed by a Special Representative of the Secretary-General, appointed by the Secretary-General in consultation with the Security Council. The Special Representative of the Secretary-General will have overall authority to manage the Mission and coordinate the activities of all United Nations agencies and other international organizations operating as part of UNMIK. The Special Representative will also be responsible for facilitating a political process designed to determine the future political status of Kosovo, taking into account the Rambouillet accords, as specified in paragraph 11 (e).

4. The Special Representative of the Secretary-General, who will be appointed at the rank of Under-Secretary-General, will be supported in his work by a Chief of Staff and various units, including units for political and legal advice, military liaison, liaison with the International Tribunal for the Former Yugoslavia and relations with the mass media.

5. The Special Representative of the Secretary-General will be assisted in his tasks by four Deputy Special Representatives of the Secretary-General. Each will be responsible for one major component of the Mission. In order to ensure that the institutional capacities of the agencies cooperating with the United Nations are pooled for optimal effectiveness on the ground, each component will be assigned to an agency which would take the lead role in a particular area, as follows:

(a) Interim civil administration: the United Nations;

(b) Humanitarian affairs: the Office of the United Nations High Commissioner for Refugees (UNHCR);

(c) Institution-building: the Organization for Security and Cooperation in Europe (OSCE);

(d) Reconstruction: the European Union.

The Deputy Special Representative of the Secretary-General for Interim Civil Administration will also serve as the Principal Deputy Special Representative and officiate as Chief of Mission in the absence of the Special Representative. A preliminary description of the structure of the Mission is annexed to the present report.

6. The Special Representative of the Secretary-General will appoint an Executive Committee whose membership will include the four Deputy Special Representatives. The Executive Committee will assist the Special Representative in fulfilling his responsibilities. It is expected that the agency with the overall responsibility for a particular component will draw upon the capacities and expertise of other organizations on the ground and coordinate their work to maximum advantage.

7. It is imperative that UNMIK and the international security presence coordinate their activities closely to ensure that both the military and the civilian presences operate in a mutually supportive manner towards the same goals, as required by paragraphs 6 and 9 (f) of resolution 1244 (1999). To this end, effective arrangements will be established for regular consultations between the Special Representative of the Secretary-General and the Commander of the international security presence. The Special Representative's staff will include a Military Liaison Unit to facilitate day-to-day relations with the international security presence and to ensure that effective liaison with the military is established for all aspects of the Mission's work.

III. ROLE AND RESPONSIBILITIES OF THE COMPONENTS

Interim civil administration

8. The interim civil administration component of the Mission, under the United Nations, will comprise three main offices, namely, a Police Commissioner, an Office for Civil Affairs, and an Office for Judicial Affairs.

9. The Police Commissioner's staff will consist of the following:

(a) An International Civilian Police Unit to oversee the civilian police operation and to establish and supervise a Kosovo Police Force;

(b) A Special Police Unit for crowd control and other special police functions;

(c) An International Border Police Unit.

It is recalled that resolution 1244 (1999) stipulates, in paragraph 9 (d), that the international security presence will initially be responsible for public safety and order. When the civil presence takes over, as envisaged in paragraph 11 (i), and in view of the Mission's executive responsibilities for law and order, consideration will have to be given to arming the police.

10. The Office for Civil Affairs will be responsible for overseeing and, where necessary, conducting a number of civil affairs functions, such as the civil service and economic and budgetary affairs, as well as supporting the restoration and provision in the short run of basic public services, such as public health, education, utilities, transport and telecommunications.

11. The Office for Judicial Affairs will be responsible for the organization and oversight of the judicial system, authenticating legal documentation and related activities.

Humanitarian affairs

12. Paragraph 11 (k) of resolution 1244 (1999) stipulates that the principal function of UNMIK in the humanitarian area is to ensure the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo. Other functions are likely to include protection of and assistance to minority groups. As foreseen in paragraph 11 (h), the humanitarian affairs component, led by UNHCR, will also coordinate, with other international organizations and non-governmental organizations, the provision of humanitarian and disaster relief aid. UNMIK will establish, as soon as possible, a Mine Action Centre to deal with the threat posed to the returnees and internally displaced persons by landmines and unexploded ordnance.

Institution-building

13. The task of institution-building, for which OSCE will be the lead agency, might comprise four main functions, the final structure to be decided in consultation with OSCE:

(a) Human resources capacity-building, in the areas of justice, police and public administration;

(b) Democratization and governance;

(c) Human rights monitoring and capacity-building;

(d) Conduct and monitoring of elections.

Strengthening the institutions of civil society, especially independent indigenous media, would also be central to these tasks.

Reconstruction

14. The tasks of reconstruction would be led by the European Union, and should be aimed at rebuilding the physical, economic and social infrastructure and systems of Kosovo and supporting the reactivation of public services and utilities. The range of tasks would be decided in consultation with the European Union. These could include near-term projects in the area of agriculture and markets, and activities relating to commerce; activities to re-establish essential public services and develop programmes for economic recovery; and longer-term capital projects in the areas of housing, utilities, transportation and communications. Every effort should be made to avoid the creation of a gap between humanitarian relief and rehabilitation and longer-term reconstruction. The overall plan for Kosovo should take into account the reconstruction and stabilization plans for the wider region.

IV. OBSERVATIONS

15. The structure described above on a preliminary basis represents, in my judgement, the optimum for an effective and integrated international civil presence in Kosovo, which can fulfil the provisions of Security Council resolution 1244 (1999) with the assistance of relevant international organizations, under the leadership of the United Nations. Consultations are being undertaken with the organizations concerned to refine this concept further. Without prejudice to the role and authority of the Security Council, it would be my intention, as in other operations, to consult regularly with Governments and organizations in a position to assist me in the discharge of the responsibilities entrusted to me by the Council.

16. It is clearly an essential requirement for the success of UNMIK that the people of Kosovo be included fully and effectively in its work, in particular that of the interim administration, so that the transition to self-governing institutions is both smooth and timely. Community leaders and professionals can make immediate and significant contributions in judicial affairs, governance and the provision of public services. UNMIK intends to establish from the start a system of advisory mechanisms and implementation committees which will fully engage the local population.

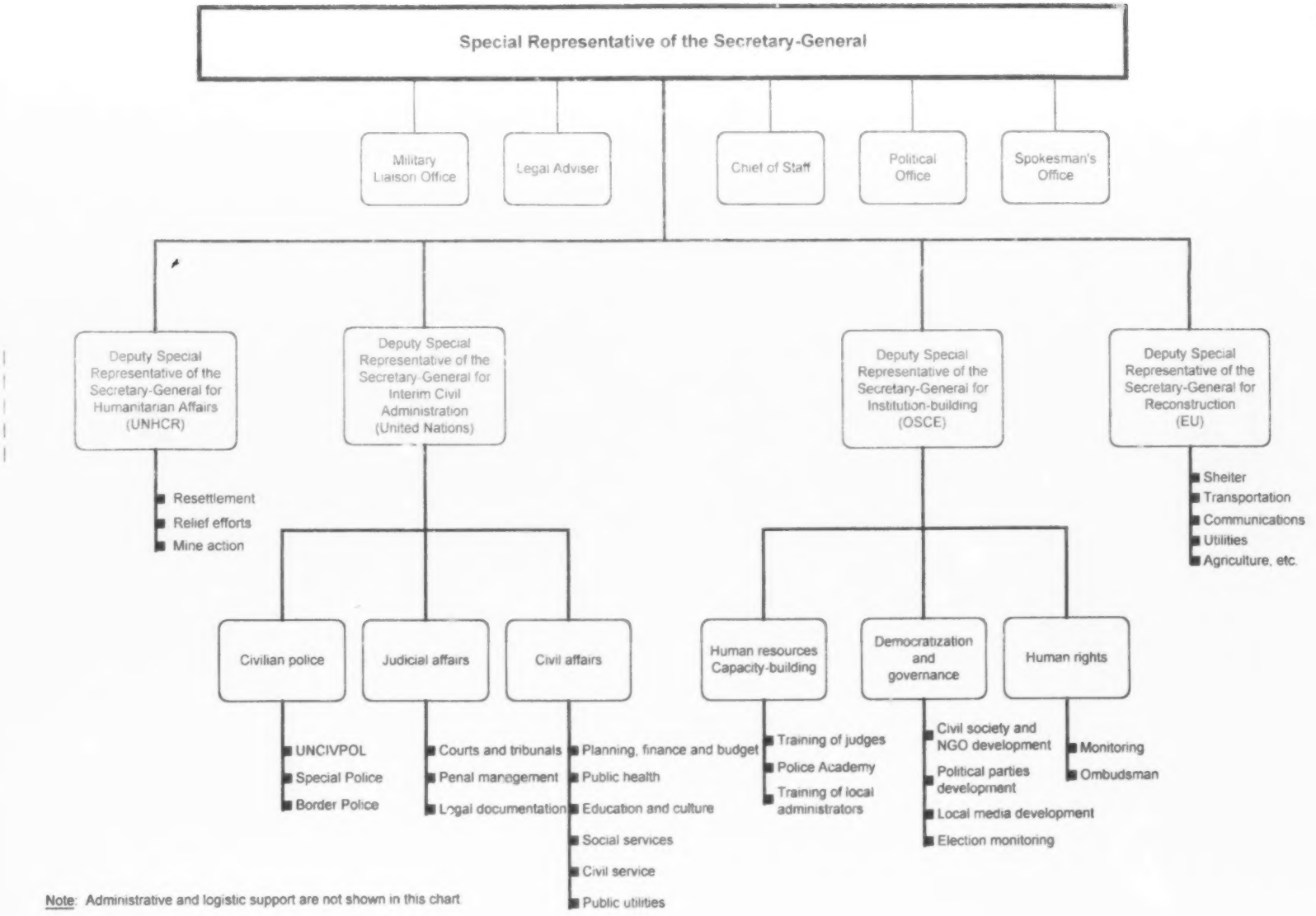
17. I have informed the President of the Security Council of my intention to appoint Mr. Sergio Vieira de Mello as my Special Representative, on an interim

basis. The deployment of UNMIK is under way. Humanitarian agencies have deployed along with the first contingent of the international security presence and have begun to provide humanitarian relief. An advance core headquarters has been assembled at Skopje and will be deployed in Kosovo at the earliest opportunity.

18. I would welcome an early indication from the Security Council that this concept of operations for UNMIK meets with its general approval. A more detailed report and cost estimates will be submitted, in accordance with the usual procedures, once the advance team has completed its initial assessment on the ground and the necessary consultations with the participating agencies have been held.

Annex

United Nations Mission in Kosovo



Note: Administrative and logistic support are not shown in this chart